## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE AT WINCHESTER

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## **ORDER**

United States Magistrate Judge Christopher H. Steger filed a report and recommendation (Doc. 50) recommending that the Court: (1) grant Defendant's motion to withdraw his not-guilty plea as to Count Two of the three-count Indictment; (2) accept Defendant's guilty plea as to Count Two of the three-count indictment; (3) adjudicate Defendant guilty of possession with intent to distribute 500 grams or more of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(A); and (4) order that Defendant remain in custody until sentencing in this matter. Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with Magistrate Judge Steger's report and recommendation. Accordingly, the Court ACCEPTS and ADOPTS the magistrate judge's report and recommendation (Doc. 50) pursuant to 28 U.S.C. § 636(b)(1) and ORDERS as follows:

- Defendant's motion to withdraw his not-guilty plea as to Count Two of the three-count Indictment is **GRANTED**;
- 2. Defendant's plea of guilty to Count Two of the three-count Indictment is **ACCEPTED**;
- 3. Defendant is hereby **ADJUDGED** guilty of possession with intent to distribute 500 grams or more of a mixture and substance containing a detectable amount of

methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(A); and

4. Defendant **SHALL REMAIN** in custody until sentencing in this matter which is scheduled to take place on **August 24, 2018, at 9:00 a.m.** before the undersigned.

SO ORDERED.

/s/Travis R. McDonough

TRAVIS R. MCDONOUGH UNITED STATES DISTRICT JUDGE